

All communications respecting this case should identify it by number and names of parties.



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AND INTERFERENCES**

Applicant: Tucholski
Serial No.: 07/641,394
Filed: January 15, 1991
For: BATTERIES WITH TESTER
LABEL
Accorded Benefit of: None

During a telephone conversation with counsel for Burroughs et al. and counsel for Cataldi et al., it was pointed out that the Cataldi et al. patent and reissue application are both involved in the interference, whereas only the Burroughs et al. reissue application is involved. The APJ agreed to consider a request that the Burroughs patent be added to the interference.

The Interference No. 103,036 is hereby redeclared pursuant to 37 CFR 1.642 to add the Burroughs et al. patent No. 5,015,544. The time for filing preliminary statements and motions remains as set in Paper No. 45.

Junior Party

The cases involved in this interference are:

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Serial No.: 07/730,712, filed 07/16/91

For: BATTERY WITH INTEGRAL CONDITION TESTER

Assignee: None

Serial No. 641,394

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Attorneys of Record: Ronald S. Cornell and James B. McVeigh

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Accorded Benefit of: None

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Applicant: Gary R. Tucholski

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Serial No.: 07/641,394, filed 01/15/91

For: BATTERIES WITH TESTER LABEL

Assignee: Eveready Battery Co., Inc., St. Louis, MO 63164, A
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Patentees: Richard T. Cataldi, Patrick D. Hein, Henry J. Heirigs
and John C. Leo

Serial No. 641,394

-3-

Address: Kodak Park Division, Rochester, NY 14650, respectively

Serial No.: 07/504,504, filed 04/04/90, now Patent No. 5,059,895,
issued 10/22/91

For: BATTERY VOLTMETER

Assignee: Eastman Kodak Co., Rochester, NY, A Corporation of
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Attorneys of Record: John R. Everett and J. Jeffrey Hawley

Associate Attorneys: Charles L. Gholz

Accorded Benefit of: None

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RE Serial No.: 07/942,973, filed 09/10/92

For: BATTERY-MOUNTED VOLTMETER HAVING THERMAL INSULATING MEANS
FOR PREVENTING HEAT-SINKING TO THE BATTERY HOUSING

Assignee: None

Attorneys of Record: John R. Everett and J. Jeffrey Hawley

Associate Attorneys: Charles L. Gholz

Accorded Benefit of: U.S. Serial No. 07/504,504, filed 04/04/90,
now Patent No. 5,059,894, issued 10/22/91

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Serial No.: 07/308,210, filed 02/08/89, now U.S. Patent No.
5,015,544, issued 05/14/91

For: BATTERY WITH STRENGTH INDICATOR

Assignee: Strategic Energy, Ltd., Newport Beach, CA

Attorneys of Record: Anthony P. DeLio and Peter W. Peterson

Associate Attorney: None

Accorded Benefit of: None

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Senior Party

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RE Serial No.: 07/963,915, filed 10/20/92

For: BATTERY WITH STRENGTH INDICATOR

Assignee: Strategic Energy Ltd., A CA. Limited Partnership

Attorneys of Record: Anthony P. DeLio, Peter W. Peterson and John
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Associate Attorneys: None

Accorded Benefit of: U.S. Serial No. 07/308,210, filed 02/08/89,
now Patent No. 5,015,544, issued 05/14/91

Serial No. 641,394

-5-

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Count 1

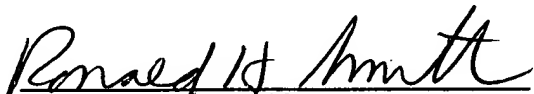
A battery having a label with an integral voltmeter; wherein the voltmeter comprises:

- A) a dielectric layer;
- B) a conductive layer above or below the dielectric layer; and
- C) a temperature sensitive color indicator layer in thermal contact with the conductive layer, characterized in that 1) the conductive layer has i) sufficient heat generating capacity to affect a change in the temperature sensitive color indicator layer and ii) sufficient thermal insulating means under one of its surfaces to overcome heat sinking when the voltmeter is in contact with a battery having an electrically conducting housing and 2) the voltmeter includes means for forming an electrical switch with the electrically conductive battery housing.

The claims of the parties which correspond to this count are:

Wang et al: Claims 22-24 and 43-63.
Tucholski: Claims 1-35 and 46-70.
Cataldi et al: Claims 9-29.
Cataldi et al: (Reissue): Claims 9-25 and 28-40.
Burroughs et al: Claims 1-11.
Burroughs et al: (Reissue): Claims 13-51.

RHS/raj


Ronald H. Smith
Administrative Patent Judge
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